

THE HONOR  
**LAW**  
GRADUATE  
PROGRAM



**U.S. NUCLEAR  
REGULATORY  
COMMISSION**

# The Honor Law Graduate Program

The NRC Honor Law Graduate Program affords graduating law students and judicial law clerks of ability and potential a unique opportunity to begin or continue their legal careers in an exciting and rewarding field of law that will involve them in many of the major issues facing the Nation. Such experience equips members of the program for exciting challenges in the practice of law. We look forward to your application.

*Karen D. Cyr*

General Counsel  
(Former Honor Law Graduate)

## INTRODUCTION

The U.S. Nuclear Regulatory Commission (NRC) is a point of convergence for far-reaching issues of law, technology, energy policy, environmental concerns, and the role of the public in decisionmaking. The push and pull of conflicting views and varied approaches—from the public, Congress, and the scientific and technical community—frame the issues on which NRC attorneys work every day.

By the very nature of its business, the NRC's actions are frequently controversial. NRC attorneys, including those who have only recently joined the Office of the General Counsel, often have the experience of opening the newspaper to read about the very cases they are working on.

The attention paid to the NRC's actions reflects the fact that the decisions made by the agency have real consequences for real people—whether one speaks of the population as a whole and its need for a safe and reliable energy supply and for the safe storage of nuclear wastes, of the much smaller population living in the vicinity of a particular nuclear power plant, or of the individual patient being tested and treated with radioactive pharmaceuticals in a medical facility's nuclear medicine department. First and foremost, the NRC regulates the safe use of nuclear facilities and materials, and its lawyers gain satisfaction from knowing that their energies, knowledge, talents, and training are being used to help ensure the well-being of their fellow citizens.

For the NRC lawyer, a technical background in the nuclear field is by



*Unique in the Federal Government, the NRC is a point of convergence for far-reaching issues of law, technology, energy policy, environmental concerns, and the role of the public in decisionmaking.*

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no means a prerequisite to a meaningful career at the agency. Attorneys with undergraduate training in the liberal arts or the social sciences find themselves developing on-the-job expertise in such diverse areas as nuclear reactor technology, nuclear security and safeguards, nuclear waste disposal, and the use of nuclear materials in medicine and industry. The NRC lawyer, with writing and oral presentation skills developed in law school, is often the bridge by which complex technical subjects are made comprehensible to a lay audience that is eager for a fuller understanding of decisions in the nuclear area. This includes not only the general public, but also Congress and reviewing courts.

As an independent regulatory agency, the NRC functions both in an administrative capacity, supervising the civilian uses of nuclear energy and materials, and in a quasi-judicial role, as an adjudicator of licensing and enforcement cases. As a result, the Commission's lawyers are exposed to a broad range of substantive issues and to many aspects of legal practice. NRC attorneys serve as counsel for the NRC's technical staff in licensing and enforcement cases at the trial and appellate levels; develop the rules to which Commission licensees must conform; prepare briefs defending Commission decisions; argue cases in the United States Courts of Appeals and sometimes District Courts; and advise and counsel the Commission on contracts, personnel, security, labor relations, the Freedom of Information Act, the Privacy Act, and intellectual property. NRC lawyers have helped draft agreements for international cooperation in the





nuclear field and have helped the agency to strengthen its security oversight program in response to the terrorist attacks on September 11, 2001.

For these reasons, the NRC’s Office of the General Counsel historically has attracted high-quality attorneys of diverse backgrounds, with an interest in public service and the interplay between law, science, and public policy. It is a stimulating environment in which to work and an

excellent place in which to hone the lawyer’s craft through daily contact with able supervisors and colleagues.

### THE U.S. NUCLEAR REGULATORY COMMISSION

Congress created the NRC in 1975, when it abolished the Atomic Energy Commission (AEC) and divided its responsibilities between two new agencies that ultimately became the

U.S. Department of Energy (DOE) and the NRC. The NRC was given an exclusively regulatory mission, and it carried over the existing body of AEC regulations for the protection of health, safety, and the environment. Promotion and development of nuclear and other energy sources were assigned to DOE. The NRC’s establishment reflected the judgment of Congress that, for a combination of reasons, involving technology and economics as well as public perception, the time had come to create an

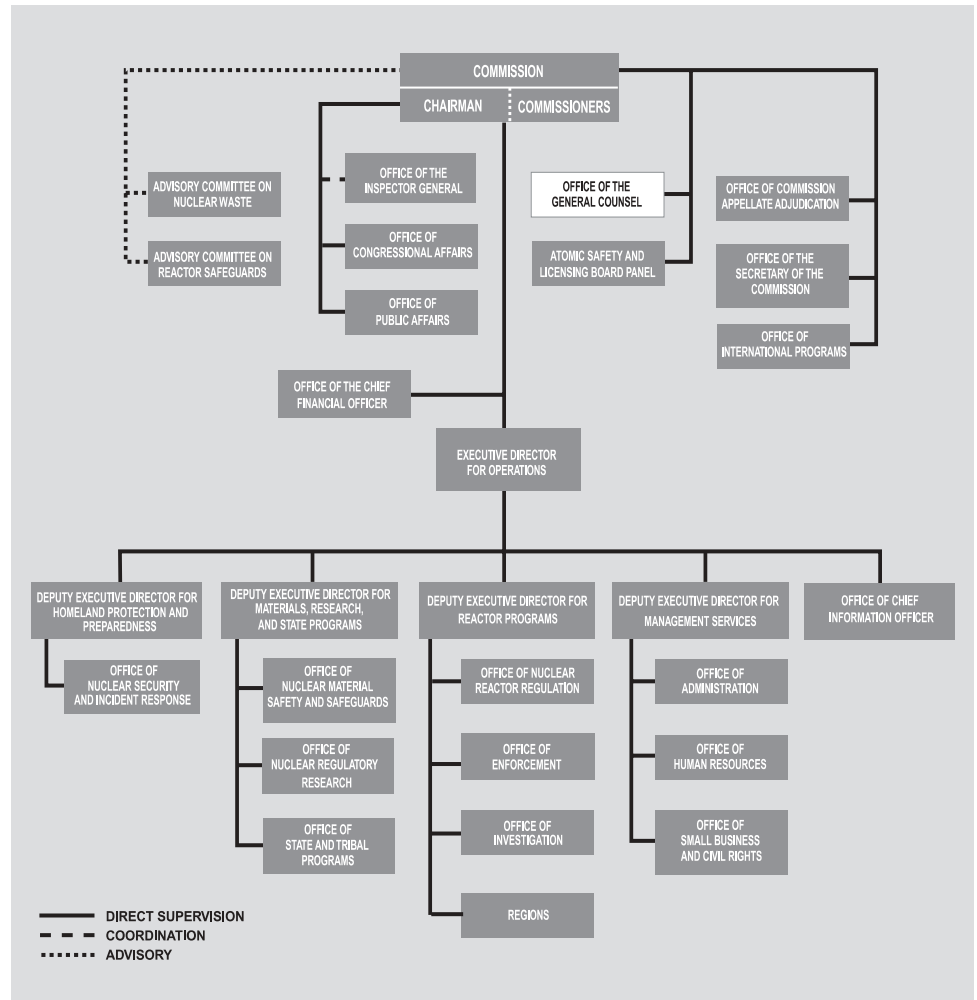
independent agency in which there could be no real or apparent conflict between the regulation and promotion of nuclear energy.

Congress chose the five-member Commission format for the NRC to ensure a variety of expertise, viewpoint, and political affiliation, and to ensure stability in policies. Members of the Commission are appointed by the President, with the advice and consent of the Senate. Members serve 5-year staggered terms, not at the pleasure of the President. However, the President designates one of the Commissioners to serve as Chairman, at the pleasure of the President.

The primary mission of the NRC is to regulate the Nation's civilian use of byproduct, source, and special nuclear material to ensure adequate protection of the public health and safety, to promote the common defense and security, and to protect the environment. To carry out this mission, the NRC has developed a comprehensive program of regulation, licensing, and enforcement. Within the framework of this program, the NRC promulgates regulations and orders governing the use of nuclear facilities and materials, reviews the technical accuracy and sufficiency of applications for nuclear power plant and nuclear materials licenses under those regulations and orders, holds public hearings in connection with licensing matters, inspects licensed activities, and takes enforcement actions, which may give rise to public hearings.

In addition, the NRC is responsible for conducting research programs that are required for its licensing and regulatory responsibilities. The

## U.S. NUCLEAR REGULATORY COMMISSION O R G A N I Z A T I O N



***The NRC is headed by five Commissioners, who are appointed by the President and confirmed by the Senate for 5-year terms.***

agency carries out these programs in cooperation with governmental and non-governmental research groups. In conformity with U.S. foreign policy, the NRC is responsible for the exchange of technical information on nuclear regulatory and related safety research matters with foreign governments and with international organi-

zations and agencies. The NRC is also responsible for processing applications for the export and import of nuclear materials and facilities.

The agency's responsibilities with respect to nuclear materials include the regulation of most of the nuclear "fuel cycle." This covers the milling

of uranium ore, its enrichment and conversion into nuclear fuel materials, and its fabrication into fuel. It also includes transportation to and from the place of use, and the storage and disposal of the spent fuel and high-level and low-level radioactive wastes. The NRC also regulates the production and use of a wide variety of nuclear materials, mostly radioisotopes for medical, industrial, and commercial applications.

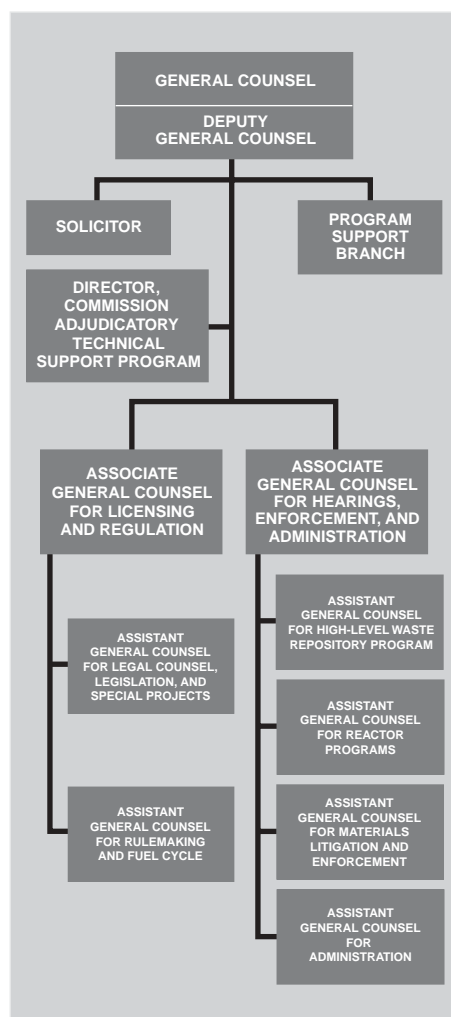
To conduct these varied activities, the NRC employs approximately 3,000 people. Because of the highly technical nature of the work, a large proportion of NRC employees are professionals with degrees in such diverse fields as law, engineering, physics, geophysics, seismology, ecology, meteorology, health physics, statistics, economics, chemistry, oceanography, radiobiology, and mathematics.

The NRC's headquarters office is located in Rockville, Maryland, a short ride on the Metro from downtown Washington, DC. The NRC also maintains four regional offices, located in or near Philadelphia, Atlanta, Chicago, and Dallas/Ft. Worth. The primary function of regional office employees is to conduct inspections of licensed activities. Except for the four attorneys assigned to NRC's regional offices, all NRC attorneys work at headquarters.

## THE OFFICE OF THE GENERAL COUNSEL

The **General Counsel** is the chief legal officer and legal advisor to the Commission. The Office of the General Counsel (OGC) at NRC

## OFFICE OF THE GENERAL COUNSEL



*OGC's primary responsibilities entail providing legal advice and counsel to the Commissioners and staff and representing NRC in litigation before agency tribunals and in Federal courts.*

headquarters employs approximately 70 attorneys. Primary responsibilities entail providing legal advice and counsel to the Commissioners and staff and representing the NRC in litigation before agency tribunals and in Federal courts. Attorneys are assigned to one of several divisions, each headed by an Assistant General Counsel, which are responsible for carrying out the various functions of the office. The divisions report to the General Counsel through two Associate General Counsels. The **Solicitor** has primary responsibility in matters involving the supervision of litigation in courts of law. The Solicitor represents the NRC in litigation in Federal Courts of Appeals and in conjunction with the Justice Department in other Federal courts. The NRC is one of the few Federal agencies that is authorized by statute to represent itself in Federal Courts of Appeals. A diagram of the organizational structure of this Office appears on this page.

**Assistant General Counsel for Legal Counsel, Legislation, and Special Projects.** Attorneys in this division assist the Solicitor. The attorney who is assigned to research and brief a case normally appears in court to argue the case. The attorneys working with the Solicitor also counsel NRC employees who are called to testify concerning official duties in cases to which NRC is not a party. Attorneys also provide legal advice and other assistance to the Commission on its functions as a collegial body and in the implementation of government ethics regulations. They aid the NRC Office of Investigations, which probes allegations of misconduct by NRC licensees and others, and the Office of International Programs, which

addresses nuclear export licensing and nonproliferation matters. Attorneys advise the agency's Chief Information Officer on information technology issues and matters related to access to information under federal statutes. The attorneys also help develop the Commission's legislative program by drafting proposed legislation or comments on the legal and policy implications of other legislative bills or proposals that may affect the NRC.

**Assistant General Counsel for High Level Waste Repository Program.** Attorneys in this division provide legal advice and counsel on all aspects of the program for review of a repository for high level waste (e.g., spent reactor fuel) to be operated by the Department of Energy (DOE). Under current law the site at Yucca Mountain, about 100 miles from Las Vegas, is designated for consideration as a repository. Attorneys advise the NRC staff in its review of safety, security, and environmental issues associated with the review of DOE's license application and will represent the NRC staff in related administrative proceedings. Litigation over the repository is expected to be a complex, multi-party proceeding, and the NRC is implementing innovative document management and litigation support systems to conduct the proceeding.

**Assistant General Counsel for Rulemaking and Fuel Cycle.** Attorneys in this division develop and review NRC regulations and guidance on the full range of uses of nuclear materials in nuclear power plants, other industrial applications, medicine, and elsewhere. These attorneys interpret regulations and statutes and prepare analyses of the

various sources of legal authority affecting NRC activities. They also furnish legal advice and other services to the NRC staff to support its materials licensing, safeguards, and nuclear waste disposal programs, and programs involving the States and Indian tribes.

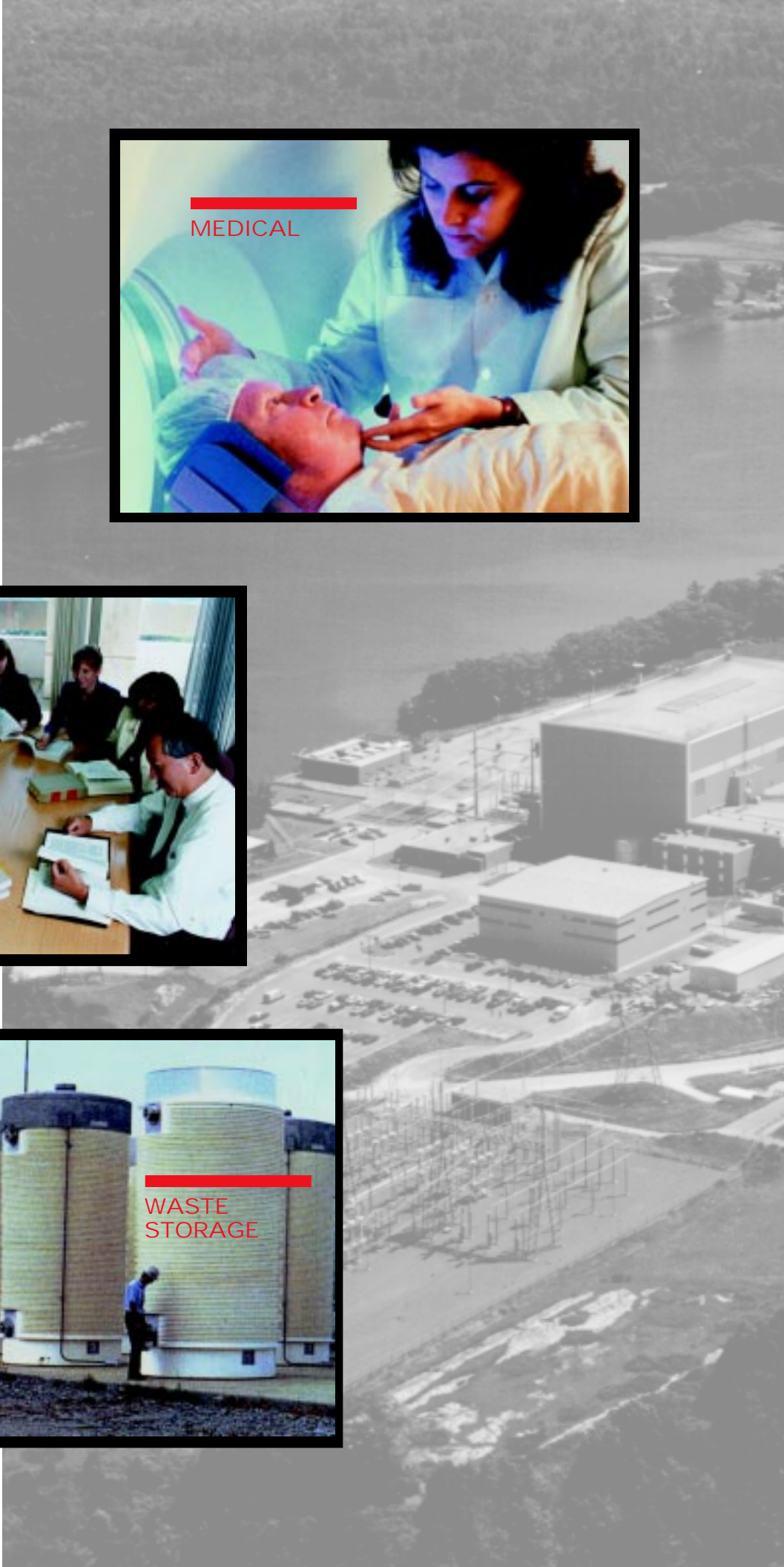
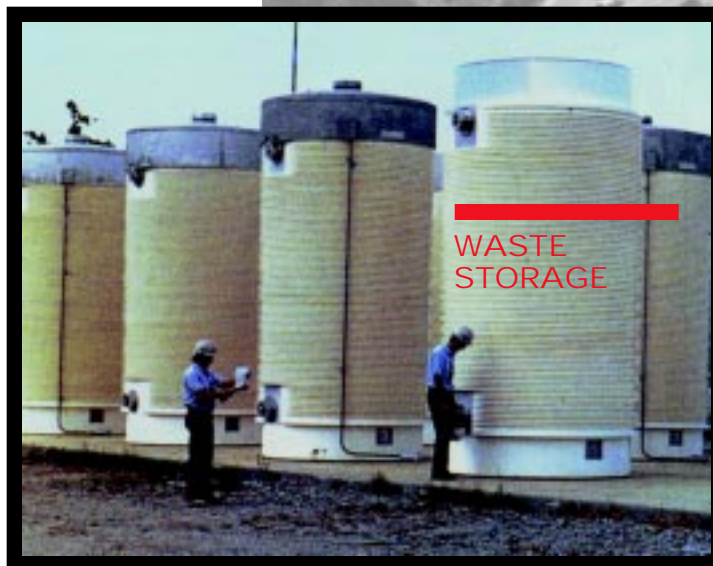
**Assistant General Counsel for Reactor Programs.** Attorneys in this division provide legal advice and counsel on all aspects of the licensing of nuclear power and research reactors, including issuance of initial licenses and amendments, license renewals, license transfers, antitrust matters, certification of reactor designs, and backfitting of new requirements. They provide legal representation in administrative proceedings involving initial licenses and amendments for reactors and related facilities, design certification, and license renewal. Like attorneys in the Materials Litigation and Enforcement Division, attorneys in this division are involved in a variety of activities related to adjudicatory hearings, including notices of hearing, pre-trial motions and proceedings, discovery, witness preparation, and representation in hearings and at oral arguments.

**Assistant General Counsel for Materials Litigation and Enforcement.** Attorneys in this division provide legal advice and representation in administrative proceedings concerning the licensing of byproduct, source, and special nuclear materials and the enforcement of NRC requirements related to the regulation of production and utilization facilities and nuclear materials. These administrative proceedings take place before Atomic

Safety and Licensing Boards, single presiding officers, and the Commission. The primary issues involved in these hearings are the radiological health and safety of the public, safeguards and security, and the environmental impact of the proposed activity. Attorneys prepare notices of hearing, respond to petitions from members of the public, prepare and file formal pleadings, review NRC staff filings, participate in discovery procedures, prepare NRC staff witnesses, and represent the NRC staff at public hearings and oral arguments. Attorneys in this division also provide advice and counsel on matters related to the development of the NRC's enforcement policy and the inspection and enforcement activities of the agency's headquarters and regional offices.

**Assistant General Counsel for Administration.** Attorneys in this division advise, represent, and assist the Commission and NRC staff with legal matters related to the operation and administration of the agency (as opposed to its regulatory functions). This support of the agency's administrative and operational functions covers a broad spectrum of activities, including personnel and union matters, equal employment opportunity, tort claims, contracts and grants, security clearance and document classification, building and property management, budget and accounting, and certain international agreements.









POWER GENERATION



INDUSTRIAL



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## THE HONOR LAW GRADUATE PROGRAM

The NRC selects a small number of graduating law students or judicial law clerks to participate in the Honor Law Graduate Program. The program is designed to attract outstanding individuals who wish to begin their legal career in a Federal agency with an array of important and challenging opportunities to serve the public and gain valuable experience in the practice of law.

### **The Rotational Program.**

Participants in the Honor Law Graduate Program serve in the Office of the General Counsel. The 2-year program is a prelude to a continuing permanent career as an attorney in OGC. Those selected for the 2-year program work in a probationary status. After successfully completing the program, they are assigned to a division under one of the Assistant General Counsels, without having to reapply. Participants in the Honor Law Graduate Program are assigned directly to the Deputy General Counsel. To give them broad exposure to the diverse fields of legal practice at the NRC, they are assigned to 6-month rotations in four of the six divisions of the office.

**Work Assignments.** During the rotational program, participants are given the same types of assignments as other attorneys in the division. For example, Honor Law Graduates may be assigned to administrative litigation involving nuclear power plants or nuclear materials. Honor Law Graduates may work with the Solicitor in researching and preparing briefs for submission to the Federal Courts of Appeal. Participants work with the technical staff in reviewing draft environmental impact

statements and proposed regulations to adopt new or revised safety standards. Others may assist in the review and litigation of personnel actions, equal employment opportunity cases, and government contract matters.

### **Mentoring and Training.**

Honor Law Graduates are assigned a peer mentor who is a current or recent participant in the program. A senior mentor may also be assigned to the participant during each rotational assignment. In addition, participants have opportunities to continue their education by taking courses, in the Washington area and elsewhere. These courses strengthen participants' skills in trial and appellate practice, environmental law, procurement law, personnel law, the Freedom of Information Act, and the use of computers in legal research.

Participants may hear oral arguments before the Federal Courts or attend Congressional hearings. Participants may also visit licensed facilities, attend specialized Bar conferences and gatherings, and take part in meetings with Federal and State Officials.

The work of OGC attorneys is supported by a fully staffed and amply equipped law library. Law librarians are available. Attorneys are provided computer equipment and have access to commercial legal databases, as well as the Internet.

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## RECRUITMENT

The NRC conducts its own recruitment process for the Honor Law Graduate Program, independent of any other Federal recruitment programs. To be considered for

NRC employment, participants do not need to have a Civil Service grade rating, and they do not need to take an examination given by the U.S. Office of Personnel Management.

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## QUALIFICATIONS

Generally, only those students who are in the upper 30 percent of their law school class are eligible for consideration. This criterion may be waived for applicants with unusual compensating qualifications, such as other academic degrees or pertinent work experience.

In addition, to be considered for the program, applicants must either be third-year law students who will earn the degree no later than June of the academic year of application, graduate law students in the last year of study, or judicial law clerks who will be prepared to report for duty no later than the end of September of the year following application. In addition, graduate law students and judicial clerks must not have any significant post-J.D. employment preceding graduate study or the clerkship.

All candidates should be aware that OGC attorneys and certain other NRC employees, and their spouses and minor children, cannot own any stocks, bonds, or other financial interests in certain entities regulated by the NRC or closely associated with activities regulated by the NRC. A list of these entities—mostly power reactor licensees and fuel cycle facilities—is readily available. A new employee in the program who is subject to this restriction has 90 days from the date of appointment to divest any prohibited securities that the employee, the employee's spouse, or the employee's minor children



***For those selected, the Honor Law Graduate Program provides challenging and varied opportunities to gain valuable experience in the practice of law.***

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may own. The tax consequences of divestiture can be deferred.

Finally, only U.S. citizens can be admitted to the program. Each person admitted must undergo a complete security investigation and be granted a security clearance. The clearance generally does not come until sometime during the person's first year in the program.

Admission to the Bar is not a prerequisite, but is expected during the first year of NRC employment. A person selected for the program who is not admitted to the Bar within a year of reporting for duty cannot expect to remain at the agency.

Admission to the Bar of the highest court of any jurisdiction in the

United States will satisfy the retention requirement and will permit the NRC attorney to represent the U.S. Government in Federal court.

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#### SELECTION FOR THE HONOR LAW GRADUATE PROGRAM

All candidates who have the required qualifications are considered for the program. Appointment is based solely on merit. It is the policy of the NRC to provide equal opportunity for all employees and applicants for employment, and to prohibit discrimination based on race, color, gender, national origin, religion, age, disability, sexual orientation, or reprisal for participation in any activity protected by the

various civil rights statutes. Eligible veterans are accorded the preference granted to them by the Veterans' Preference Act of 1944. OGC encourages all qualified persons to apply.

In selecting members for the program, the NRC evaluates each individual's academic achievement, writing and research skills, advocacy skills, and developmental experiences. Specific consideration is given to an individual's law school academic record and activities, including law review, moot court, and legal aid; law clerk employment; writing samples; the results of reference checks and personal interviews by NRC attorneys; and any other factors that may indicate the individual's potential to develop



into an outstanding attorney. Technical or scientific training or experience is not a requirement for admission to the program. However, an interest in technical or scientific matters, or some background in such matters, can add to an attorney's experience at the NRC.

In selecting program members, the NRC uses a three-step procedure. First, the NRC evaluates the applications submitted by interested law students or law clerks, conducts preliminary interviews at selected law schools and job fairs, or both. These evaluations and interviews take place during September and October. Second, the NRC invites the most promising applicants to visit the agency's headquarters in Rockville, Maryland, for interviews with NRC attorneys. These interviews are conducted during October and November. Third, the NRC makes its final selection of candidates. This selection is usually completed by December 1.

## SALARY AND BENEFITS

**Grade and Salary Levels.** Salary policies and practices seek to motivate and reward employees for their initiative and outstanding performance. Federal grade and salary levels used at NRC are directly related to the qualifications and experience the attorney brings to the position being filled. Special salary schedules are in effect for entry-level attorneys. Members of the program normally start at grade GG-11, Step 9.

**Promotions.** After 1 year of satisfactory performance, and assuming that the attorney has passed the Bar examination, a member of the

program is eligible for a promotion to grade GG-12, Step 5. After two years of satisfactory performance, an attorney is eligible for promotion to grade GG-13, Step 2. Promotions to GG-14 and 15 are competitive.

**Periodic Pay Increments and Awards.** Periodic pay increments within grades are based on acceptable performance and conduct after specified periods of service. In recognition of outstanding accomplishments, the NRC offers a variety of monetary awards.

**Other Incentives.** A recruitment bonus may be authorized. The NRC may also pay a portion of an employee's Federally guaranteed student loans. Such bonuses and loan repayments incur a service obligation.

**Retirement.** Newly hired Federal employees are covered by the Federal Employees' Retirement System (FERS), a three-tiered plan that includes Social Security, a basic Federal annuity, and the Thrift Savings Plan, in which the Government matches employee contributions.

**Health Benefits.** This voluntary program protects Government employees and their families from some of the costs of illness or accident. Employees can choose from a number of major health plans. If employees do not enroll when they are hired, they will have another opportunity during an open season period (usually late fall). The NRC pays a portion of the premium for these plans. NRC employees are also eligible to participate in the Federal Long Term Care Insurance Program and the Federal Flexible Benefits Plan.

**Group Life Insurance.** The NRC pays a portion of the premium for basic life insurance. The amount of coverage depends on the employee's age and annual salary (rounded to the highest thousand plus \$2000). Additional optional coverage is available to the employee and the employee's spouse and children. Participation in the insurance program is voluntary.

**Work Schedule.** Employees can select the work schedule they prefer—"Flexitime" (ten 8-hour weekdays per 2-week pay period with flexible starting and ending times) or "Compressed Work Schedule" (eight 9-hour weekdays and one 8-hour weekday per 2-week pay period, with flexible starting and ending times and one weekday off). Many employees find that a 3-day weekend in every pay period is a significant benefit.

**Vacation (Annual Leave).** Employees with fewer than 3 years of service receive 13 days of leave each year; those with 3 – 15 years of service receive 20 days of leave each year; and those with 15 years of service and more receive 26 days of leave each year. The maximum carryover from one year to the next is 30 days.

**Sick Leave.** Regardless of length of service, employees earn 13 days of sick leave each year. Employees may use sick leave for absence due to illness, injury, or pregnancy and confinement, or for scheduled medical and dental appointments, with no limit on accumulation. Employees may also use sick leave to take a family member to a physician or dentist.

**Holidays.** Employees enjoy 10 recognized Federal holidays off with pay each year.





**Credit Union.** The Credit Union is a full-service financial institution. Membership is optional.

**Fitness and Health.** A modern Fitness Center, staffed by trained professionals and furnished with state-of-the-art exercise equipment, is available at low cost to employees at headquarters. For runners and joggers, the NRC also has changing rooms, lockers, and showers. For those who cycle to work, the NRC provides bicycle racks inside the building. After-hours exercise classes are also available.

The Health Center offers NRC employees at headquarters a comprehensive health maintenance

program. A physician and nurses are on duty Monday through Friday.

RELOCATION COSTS  
AND ARRANGEMENTS

The NRC may be able to reimburse members of the program for such relocation expenses as moving costs.

HOW TO APPLY

To apply for the Honor Law Graduate Program, submit the following:

- 1. A résumé, with references.
- 2. A copy of your law school transcript. (Please attach

your school’s grading system explanation, if available.)

- 3. A sample of your legal writing, unedited by anyone else.

Applications will be accepted from July 15 – October 15. Please submit all required material by October 15 by e-mail to [HonorLaw@nrc.gov](mailto:HonorLaw@nrc.gov) or by mail to the following address:

**Honor Law Graduate Program  
Coordinator  
Mail Stop O-15 D21  
Office of the General Counsel  
U.S. Nuclear Regulatory  
Commission  
Washington, DC 20555-0001**



## NOTES

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